

REFUGEE UPDATE

ISSUE NO. 35 A JOINT PROJECT OF FCJ HAMILTON HOUSE REFUGEE PROJECT AND THE CANADIAN COUNCIL FOR REFUGEES FALL 1998

INSIDE:

IS THIS CANADA?
PAGE 3

WRETCHED OF THE EARTH
PAGE 5

BILL C-40: EXTRADITION
PAGE 8

DUE PROCESS UNDER ATTACK
PAGE 11

THE WINTER OF OUR DISCONTENT OR SPRING?

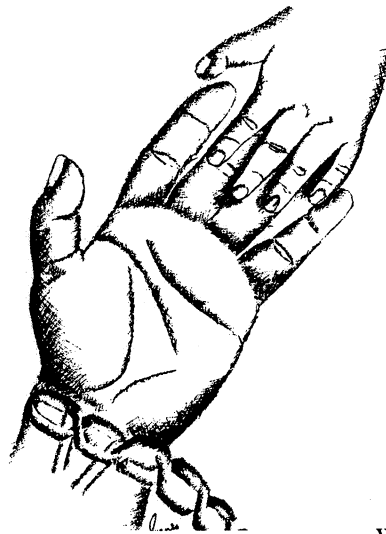
DOES 1998 HERALD A REDISCOVERY OF REFUGEE RIGHTS BY THE COURTS?

(ADAPTED FROM AN ARTICLE BY RONALD POULTON)

In Winter 1997, the immigration policy of Canada seemed secure. Polls showed Canadians favoured the policies. Unemployment and insecurity had been focussed and blame laid. Immigrant, refugee, liar, criminal - the words had been mixed together. Officials could act without public rebuke, intercepting or interrupting the arrival of refugees, restricting the reunification of families, banishing, deporting and exiling. The courts of Canada, supposedly the ultimate protectors of human rights had justified outrageous decisions with rhetoric, outmoded common law and "the immigration context".

Winter for refugee rights began in 1992. Deportation was not a punishment according to Mr. Justice Sopinka of the Supreme Court of Canada in the case *Chiarelli v. Canada*. Forced separation from community, family, work, school, church was nothing more than what was deserved for a non-citizen guilty of a crime. Jail was not enough - banishment was required on top of the normal jail sentence. Section 12 of the Canadian Charter of Rights

and Freedoms which prohibits cruel or inhumane treatment or punishment was not involved. A non-citizen has no unqualified right to stay in Canada. The consequences of deportation are irrelevant. Other judges of the Supreme Court agreed.



The Federal Court was no better. A Canadian-born child has no Constitutional interest in the deportation of its parents according to the Federal Court of Appeal in the case of *Langner v. M.E.I.* (1995). In *Ahani v. Canada* the Court of Appeal found that a secret procedure in which a non-citizen and his lawyer were excluded from hearing the bulk of evidence against him violated no principles of human rights or constitutional protections. The Court also found acceptable the mandatory long term indefinite detention of another non-citizen without formal review by a proper court (*Habeas Corpus*) in the case of *Baroudi v. Canada*. The failure of immigration officials to apply the UN Convention on the Rights of the Child was understandable and correct, said Mr. Justice Strayer of the Federal Court of Appeal in *Baker v. M.C.I.* (1997). He went on in the later decision of *M.C.I. v. Williams* to say non-citizens have no constitutional rights engaged in the deportation scheme. Deportation is merely a choice of a place to live as one chooses

Mississauga over Brampton. Family, community, years of life in Canadian society are irrelevant factors. Mr. Justice Muldoon of the Federal Court Trial Division decided in the case of *Tejinder Singh v. Canada* that an alleged terrorist could be expelled from Canada to a place where he might be tortured and perhaps extra-judicially executed. Canada could wash its hands of the man because he was (possibly) a terrorist and deserved the consequences of his actions. By Winter 1997, non-citizen's rights were in deep freeze!

harmed.

Court, she said, had decided in *Kindler v. Canada* that extradition to face the death penalty was not a violation of Constitutional rights so why would deportation to face something less, such as torture, involve Constitutional rights? And even if there was a "serious issue", she decided that no "irreparable harm" would be suffered by Mr. Suresh if he was deported. Assurances by the Sri Lankan government satisfied her that Mr. Suresh would not be harmed.

Then came 1998. Human rights values are said to reflect universal truths common among all peoples. Surely, it could only be a matter of time before they surfaced? But given the accumulated judicial indifference, that would require a Court and a judge with more than a superficial understanding of human rights.

In his first brush with immigration law, Mr. Justice Lang of the Ontario Court General Division demolished the wall of rhetoric which surrounded immigration policy and practice with one phrase:

"Charter rights are the due, not only of the good, but also of the bad, the unworthy and the undeserving." Nothing like this had been said in immigration law after the Supreme Court ruling in *Chiarelli*. "Non-citizens have protected human rights", Mr.

Justice Lane continued.

The circumstances surrounding that Ontario Court decision *Suresh v. M.C.I.* (1998) were extraordinary. Mr. Suresh was a Convention Refugee from Sri Lanka recognized by Canada as such but then imprisoned and "determined" to be "a member of an organization that is or was engaged in terrorism". The process which "determined" this was a partially secret hearing from which Mr. Suresh and his lawyer, Barbara Jackman, were excluded. As a result, he was ordered deported. A subsequent opinion by the Minister of Citizenship and Immigration that he was a "danger to the Canadian public" allowed him to be deported to Sri Lanka, the country where he faced persecution and a country where evidence clearly demonstrated he faced detention, torture and possibly summary execution.

When the deportation date was set, Mr Suresh's lawyer tried to get the Federal Court Trial Division to stop the deportation while his Constitutional rights were considered. Madame Justice Tremblay-Lamer refused to grant this. She doubted that Constitutional rights arose. The Supreme



He found the possibility of torture in Sri Lanka to effect rights in Sections 7 and 1 of the Canadian Charter of Rights and Freedoms. He said the *Kindler* decision of the Supreme Court applied to the application of the death penalty in a democratic society with strong legal safeguards and due process protections. It did not allow the deportation of a person to face torture by a regime internationally condemned for its human rights conduct. As for no "irreparable harm", Mr. Justice Lane dismissed the assurances of the Sri Lankan government as vague, unsubstantiated hearsay which did not comply with international rules for inter-governmental assurances, and, given the Sri Lankan government's history of abuses, which was unlikely to be followed. Evidence demonstrated that it was likely that Mr. Suresh would face cruel and inhuman treatment if returned to Sri Lanka. Finding the "balance of convenience" favoured protecting Constitutional rights over allowing deportation, Mr. Justice Lane granted a "stay" of deportation pending a full consideration of this claim to a breach of Charter rights.

Several months later, the Ontario Court was called on again to stop the deportation of Maria Francis, a non-citizen who would be separated from her six and eight year old Canadian born children. The case aimed to overturn the Federal Court view that children have no rights involved when their parent is deported. In the case of *Francis v.*

M.C.I. Mr. Justice McNeely of the Ontario Court General Division decided otherwise. Accepting jurisdiction of the case, he decided that the Federal Court was not a better place to consider the Constitutional issues and stopped the deportation. In doing so he shattered the established position that it is a private family matter of choice whether a Canadian born child accompanies a parent who is being deported. The "so-called choice", said Mr. Justice McNeely, was whether the children abandon their homes in Canada, or be abandoned by their parent. Not much of a choice! He went on to declare that deportation would violate the right to life, liberty and security of a person without due process, contrary to section 7 of the Charter of Rights and Freedoms. Unfortunately, this was not an appeal court or the Supreme Court.

Finally, the Supreme Court added a somewhat positive decision later in 1998. In *Pushpanathan v. M.C.I.* Mr. Justice Bastarache decided that refugee determination was a human rights issue. This seems an obvious observation, but since *Singh et al v. M.E.I.* (1985) the Federal Court has treated status determination differently. To be lawful in the refugee context a decision must be correct, held the Supreme Court justice - nothing less. This means that the test for courts on judicial review must be whether the decision is correct or not. The Federal Court has shown a

growing reluctance during the 1990s to interfere with an Immigration and Refugee Board Decision. No longer can the Federal Court give an IRB decision deference - it must be correct. The Supreme Court went on to use the "correctness" approach in deciding that an exclusion clause (article 1F(c) of the 1951 Convention Relating to the Status of Refugees) could not exclude a narcotics trafficker from refugee status because the United Nations had not intended to exclude such persons by that provision.

Implicit in this decision is the view that regardless of what you have done or how bad you are, you are still entitled to the protection of your human rights. That view is still largely foreign to immigration policy and practice and it is still novel for the Federal Court. Of course, odd disconnected court decisions to protect some of the rights of a few individuals cannot replace the "measures necessary to ensure" the human rights of refugees in Canada. This is what Canada promised to provide when it ratified the major UN human rights treaties. Nonetheless, taken together, these signs could herald the beginning of an end to the Canadian Winter on refugee rights.

Ron Poulton is a refugee and immigration lawyer practicing in Toronto. He has recently left for an overseas mission.

IS THIS CANADA?

SUMMARIZING A REPORT ON IMMIGRATION DETENTION
IN THE CELEBRITY INN IMMIGRATION HOLDING CENTRE
BY: JOAN SIMALCHICK

A number of serious structural problems were identified by a thirteen-month project of the Toronto Refugee Affairs Council, funded by the Trillium Foundation. The project used TRAC case files, interviews with staff of Citizenship and Immigration Canada, Immigration and Refugee Board members, detainees and groups who help them.

The results show that removal is directly linked to deportation. When first examined by immigration officials, "front end", and after administrative and legal reviews have been turned down, "back end", officials try to keep



out those people they have decided are not eligible from entering or staying in Canada. At the front end, discretionary power can block a person from getting a refugee status hearing or can imprison or can deport. At the back end, officials imprison to ensure deportation if someone has failed to appear at an immigration appointment. At no point in detention procedures is it possible to address mistakes in the immigration system which have provided the underlying rationale for the detention.

Among the people detained are persons trying to make a refugee claim, people waiting for a decision on refugee status,

and people who have had their refugee claim rejected. People who have experienced violent persecution in their countries of origin are mixed with other detainees. Persons attempting to enter Canada as visitors, persons who are travellers in transit, persons who have overstayed visas or persons who have lived in Canada without immigration authorization are also mixed among other detainees. Among those detained are people from countries to which the government has decided it will not deport people. During the study period (largely 1997) the majority of people who were detained in the Celebrity Inn prison originated from Africa or South Asia. Mercifully, budget restrictions reduced the totals of detained persons from up to 170 in 1995-1996 to an average of 60-75 in 1997.

The following is an outline of the recommendations made in the Report:

1. Implement the key recommendations of the 1995 Tasse Report:

- establishing a code of ethics for detention and deportation staff
- criteria for deporting or not deporting to countries which could pose danger
- an independent review body to examine procedure and complaints;

2. A clear process of accountability with greater communication among various immigration sections concerned with the refugee process, detention and deportation;

3. Immigration detention and deportation officials need support for the inherently stressful nature of deporting people comparable with municipal and provincial police departments which have in-service support and critical incident counselling. Refusal to recognise the work's traumatic consequences and secondary effects on staff has had a deleterious impact on people and on delivery of service.

4. Distinguish refugees from other categories in detention and facilitate their access to refugee status determination and other protection mechanisms. Some people being deported after a refugee claim do not know whether a decision has been made on a post-determination review. Some do not know if they made submissions.

5. Objective criteria for decision making in law should inform decisions. These should be based on international and national human rights standards. Detailed frames of reference such as the recent IRB Guidelines for adjudicators, could help in the short term.

6. A comprehensive training program is needed for immigration officers, front-line workers, senior immigration officers, Immigration and Refugee Board adjudicators and both Immigration and IRB interpreters to prevent traumatization or further re-traumatization of refugees. Anti-racist and diversity training should be delivered by non-governmental organizations.

7. A complaints mechanism, independent of immigration and security personnel should be set in place for use by persons detained under the Immigration Act.

8. The manner of providing health services needs urgent attention. Transcultural health experience must be a prerequisite for health professionals working with the detained population, and also anti-racist and diversity training. More psychological services need to be provided for persons detained under the Immigration Act. Specialized services are a must for persons who have experienced torture, violence and persecution.

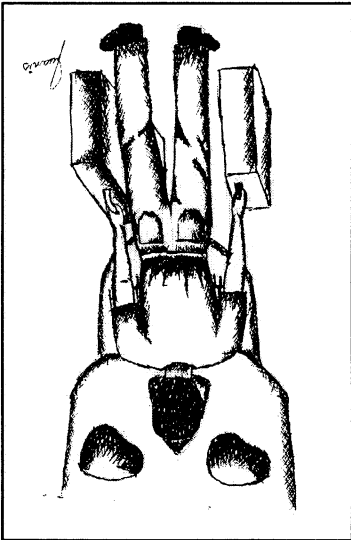
9. Greater efforts should be made to get the cooperation of countries unwilling to take back their nationals so as to avoid long term detention. If such cooperation cannot be achieved, alternatives to detention must be used and time frames and conditions for release established.

10. Immediate release should be possible if a person cannot be deported to a country on account of violence or other conditions. It is inappropriate to make persons "wait and see" if country conditions will change for long periods in prison.

11. Non-governmental organizations must have access to persons in detention in order to provide community and legal referrals. Limited community and legal services can be best used in formal on-going arrangements which facilitate donations of time and project funding.

12. Policy and practice must become more transparent with publicly available reports of numbers detained, basis and reasons for detention, numbers deported and list of countries to which deportation occurred.

13. Safeguards should be introduced to prevent detention



from being used as a punishment or as a deterrent to discourage persons from applying for refugee status. Opportunities for abuse of detention will continue without an open transparent process and public accountability. Beyond the recommendation for an independent complaints mechanism for detainees, the proposal for an Immigration Ombudsperson could help with underlying immigration situations causing detention.

14. Studies to assess the physical and mental health needs of persons in detention should be conducted by health

professionals independent of Citizenship and Immigration Canada. Particular attention should be paid to the long term consequences of detention, and especially on the possible retraumatizing of persons who have experienced imprisonment by oppressive regimes, torture and/or violent social repression.

Joan Simalchik is a doctoral candidate at OISE, an educator and refugee advocate. She is the former Executive Director of the Canadian Centre for Victims of Torture.



THE WRETCHED OF THE EARTH

BY EZAT MOSSALLANEJAD

In the late 1950s, the Algerian psychiatrist, political theorist and freedom fighter, Frantz Fanon wrote his book, *Les Damnés de la Terre* (The Wretched of the Earth). In this historical masterpiece, Fanon speaks about colonization and masses of colonized people who are traumatized, oppressed, exploited, and damned to live under hellish conditions. And now, at this dramatic turn of the 20th century, colonialism is identified as a matter of the past. Canada is being presented as a paradise on earth (albeit with 12% of her population officially living below the poverty line). But, alas, thousands of people are degraded to the position of the damned on earth in this "best country of the globe." They are here without a home, without a voice; they suffer in silence; they walk on a path of thorns, on fire sometimes wailing, sometimes without crying. Most of these people are rejected refugee claimants, Convention refugees, landed immigrants and many others who are falling between the cracks due to gaps in the Immigration Act and/or the lack of humanitarian attitudes in our petrified system of refugee protection. Among them are hundreds of torture survivors, victims of war, women at risk and vulnerable children. Let us look at some

conspicuous examples (please note that all names are fictitious):



Nastaran is a very sick and traumatized woman from a Middle Eastern country. Upon her arrival in Canada in the latter part of 1995, she and her family applied for refugee status. They attended the IRB refugee determination hearing three times. Their hearings took place under tremendous pressure which was harmful to the psychological condition of Nastaran as a torture survivor. The panel requested the attendance of Nastaran's children for the last two meetings which resulted in Nastaran's inability to openly and properly testify about her experience of torture. Her children were already under psychological treatment for their traumatic experiences. The family also had the problem of poor interpretation at their hearing. In rendering its

decision, the Refugee Board rejected their claims on the basis of inconsistency in their testimony. The family could not appeal the decision as their lawyer informed them at the last minute that he was unwilling to pursue the appeal. They did their post claim review, but their submission was not on time due to the postal strike. They have since received a letter of removal from the

Shortly after Roja was released from detention, she discovered that she was pregnant. She despised him, and emotionally distraught. She was under his total control. if she did not comply to his request. She was terrified, and the regime. He threatened Roja that she would be executed family were interested because of his strong support for wanted to marry her in the past, but neither Roja nor her manipulating Roja and forcing her to marry him. He had of the interrogators was her distant relative. He started During her two months detention, she discovered that one

three occasions as a result of her political activities. treatment of women in her country. She was detained on and tortured because of her strong opposition to the brutal Roja is a vulnerable 30 year old woman. She was arrested

campaign to allow her to stay in Canada. collapse. It is unfortunate that it took a massive publicity Traumatic Stress Disorder and was on the verge of limbo for a long time. She was suffering from Post committed by her husband. She had been going through the agony of family separation and the distress of living in Mitra would have paid heavily for the "crime" supposedly

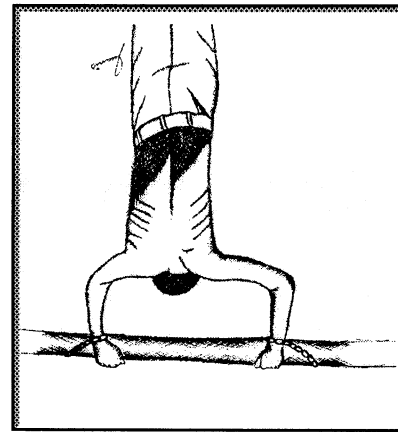
husband is still in limbo. continue to stay in Canada, but her reunification with her stayed. Thanks to an extraordinary effort Mitra can media and at the last minute the deportation order was advocates rallied around her, engaged the help of the removal. In the meantime, the community of refugee but unfortunately an H&C application does not prevent She applied for Humanitarian and Compassionate (H&C),

sending her to an unknown destiny? it challenge its own system of protection by removing and protection and should stay in this country, why then should contradictory. If Canada has accepted that Mitra needs It is shocking that Canada has created a system which is

consequential persecution in her country of origin. her being a member of PDRCC and facing a real risk of Enforcement Unit. All this has been done regardless of Mitra received a letter of removal from Ontario South to ask Mitra "to leave Canada." On September 1, 1998, do. Following that, an Immigration officer went as far as travel to Canada illegally - something all refugee claimants He had been imprisoned in London, UK for his attempt to landed status on account of her husband's inadmissibility. under this program but in May, 1998, Mitra was denied should she be returned to her country. She was approved applied for a post claim review highlighting her fear that Following her rejection as a Convention refugee, Mitra

Nastaran is highly traumatized as a result of the torture she experienced. Receiving lashes and being humiliated has left a lasting and durable impact on her life. These after-effects have made her very vulnerable. She is extremely fearful and anxious over the possibility of being returned to persecution. She is reporting symptoms of retraumatization including nightmares, insomnia, flashbacks, lack of concentration, nervousness, fatigue, headaches, hypersensitivity and back pain. Her vulnerability is such that there is a very real danger of Nastaran suffering a serious emotional collapse should she be put on a plane for removal.

Taghi became involved in oppositional political activities



at the age of fourteen. He was arrested and sentenced to long-term imprisonment at the age of fifteen. He spent many years under unbearable conditions in one of the most notorious prisons of his country. He was subjected to frequent interrogation and torture. He was

beaten repeatedly, mutilated, whipped and exposed to physical hazards. He went through food, water and sleep deprivations. One of the most bitter experiences in his life was the time when his torturers subjected him to mock execution. They took him to a house, blindfolded him and pretended that someone would enter and shoot him. When they released him, he was a grown-up man. He had to face a shattered family. Authorities had destroyed their house and had imprisoned all his family members including his ailing parents. Taghi had to refer to security forces, report and sign in on a regular basis.

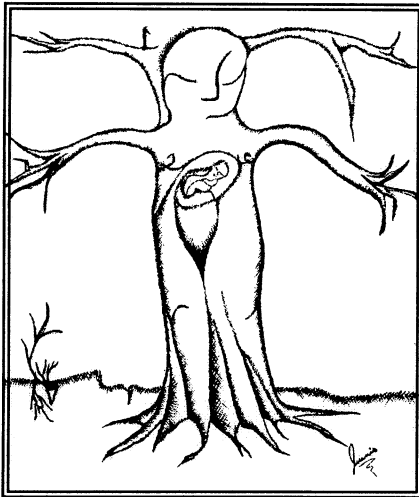
Taghi escaped his country in late 1993 and claimed refugee status upon his arrival in Canada. His refugee claim was rejected in 1995 and subsequent post claim and "humanitarian" reviews were unsuccessful. Although traumatized, Taghi has made his best efforts to join the Canadian labour market. He works as a full-time employee of a fast food restaurant. He is living between hope and despair as he has applied to an international body to recommend to the Canadian government to stay his deportation order.

under no circumstances, wanted to have his child. Although abortion is strictly prohibited in her country and penalties include lengthy imprisonment and even execution, Roja secretly arranged for an abortion despite her fear of her husband and the consequences that might ensue if she got caught. A few days following the abortion, she began to suffer from the consequences, and was left with no choice but to escape her country.

Roja came to Canada in 1996 and applied for refugee status. A few months later her application was turned down. She could not appeal the decision as she did not have money for a lawyer. She has exhausted all legal remedies and has chosen to go underground rather than to return to her country. But life for Roja is a nightmare as living underground means living without job, health care and all the social securities the government provides. Even close friends are unable to extend their help as it is illegal to do so in Canada.

She calls her friends occasionally to share her agony of homelessness and despair. She is unable to go back as she fears her husband, who is now a high-ranking member of the government.

Chandra is a thirty-four year old man from a South Asian country. He was accepted as a landed immigrant under the Backlog Clearance Program almost 12 years ago. During the first few months of his arrival, he was charged with a minor crime. Before attending the court, the conflict was resolved in a friendly manner. The plaintiff attended the court and gave his consent to have the charge dismissed.



The judge, fully sympathetic to the remorseful Chandra, postponed the trial in an apparent attempt to convince the Crown attorney. A few days later, Mr Chandra came to know about his father's serious illness at home. He ignored his upcoming court hearing and left Canada hurriedly. He returned home in the hope of visiting his dying Dad. He was arrested by the military authorities upon his arrival. He was detained in a military base and severely tortured for a few weeks. He went up north to visit his father for the last time when he was abducted by the guerillas who

fought with the government. They suspected him to be an informer due to his so-called premature release. During four and a half years of captivity, he went through all sorts of torture, cruel and degrading treatment: beatings, mutilations, burns, water immersion, hanging, whipping, exposure to physical hazards as well as food and water deprivation. They broke his legs and forced him to witness other people being tortured. Many times he was subjected to mock execution. Harassment, deprivation and solitary confinement were an ongoing practice by his captors.

One night, during a heavy bombing of guerrilla bases, he utilised the darkness and escaped. With lots of hardship he managed to come to Canada again. A few months later, he was arrested by the Canadian police because of his old unresolved conflict. He spent twenty-one months altogether in jail and a detention centre. His imprisonment served as a real ordeal and educational opportunity for him. Although coming from a non-Christian background, he received many Gospel Ethos Team Certificates. He also obtained an Ontario Secondary School Diploma, a course of study in English Media as well as Anger Management, Human Relations, Ontario Seventh Step Society and Mechanical Drafting Certificates.

He was released from jail only to be identified as a risk to the security of the public by the Immigration Department. He is now out of Immigration detention as a result of intervention by the bail program.

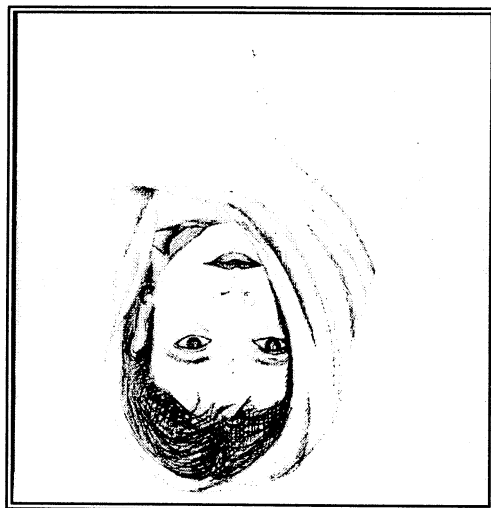
Mr. Chandra is a skilful welder, working as a full time employee in a company. But he is highly traumatized and terrified of being returned to torture and possible execution.

There are many more awful and unjust stories about the wretched of the earth. All these happen due to gaps in the Canadian Immigration Act and the lack of a meaningful appeal in our refugee determination system. It is also not possible to bring new evidence once a decision is made. It is unfortunate that the Canadian humanitarian and compassionate tradition is overwhelmingly being subsumed by bureaucratic expediency.

The tradition of collaboration between the government and Non-Governmental Organizations which acts as a powerful instrument of refugee protection in other countries is becoming increasingly non-existent in Canada. Under the Conservative portfolio of Barbara McDougall (as the Minister of Immigration), the national Vigil Network could sometimes successfully appeal to the Minister to stay deportation of people who were screened out carefully by Vigil as being genuinely in need of

BILL C-40: EXTRADITION AND REFUGEES A DANGEROUS PRECEDENT

BY PHIL RANKIN



Canadian protection. Today, under the Liberal government, the Minister of Citizenship and Immigration hardly pays attention to the repeated requests of NGOs and community activists who work with refugees and uprooted people on a daily basis.

There are virtually thousands of people who are the *wretched of the earth* in Canada. Most of them cannot be removed due to the prevalence of war or gross human rights violations in their countries of origin. The arrest, detention and removal of thousands of people is neither just nor feasible. At this juncture, when the government

On May 5, 1998, the Minister of Justice Anne McLellan introduced Bill C-40 amendments to create a new Extradition Act. One of the proposed amendments will prevent refugee claims where extradition is being sought.

According to the official announcement in Ottawa this proposed change follows "a comprehensive review and consultations with our many partners." We in the immigrant and refugee community apparently are not yet one of the Minister of Justice's "many partners" as we were not consulted about these changes.

The Canadian Council for Refugees at its recent Annual General Meeting in Montreal passed a motion that Bill C-40 be withdrawn or amended to ensure that it conforms to international human rights treaty obligations and asked that the bill be referred to the Standing Committee on Citizenship and Immigration for hearings.

Extradition is basically the way foreign countries can have people returned to them who are charged with or have been convicted of crimes in the requesting countries. Requests can be made to return Canadians or anyone else who is in Canadian territory. The Extradition Act has provision to arrest and forcibly remove people to countries

requesting their extradition.

Extradition hearings are held in the superior courts of each province. The amount of evidence necessary is very low. All that is required currently is that some sworn evidence of identity and some sworn evidence to show crime was committed in the requesting country which is also a crime in Canada. It is a very low legal standard which will result in an order to extradite. Amendments to Bill C-40 will make it even lower. One of the main changes in Bill C-40 is to lower the standard of evidence and allow evidence that is now inadmissible, such as hearsay, to be used.

Ultimately the Minister of Justice retains a large residual discretion to refuse to surrender a person (if for example they face execution) although in the past this has seldom been used.

No one wants to see serious criminals use the refugee system to delay removal. There is a way without killing the principle. The Minister of Justice and Minister of Immigration in consultation with the IRB could create procedures to speed up such hearings without taking away the right to make refugee claims. In fact there is only one case I am aware of where there has been a refugee claim by someone whose extradition was wanted.

Ezat Mossallanejad is a Counsellor at the Canadian Centre for Victims of Torture.

is considering a new Protection Act, it is critical that protection will indeed be given to those seeking it and those desperately in need of it.

We in the refugee community are most concerned about the limitation it puts on refugee claims. The most offensive proposal states:

96. Section 69.1 of the Immigration Act is amended by adding the following after subsection (11):
If authority to proceed under Extradition Act:

(12) If an authority to proceed has been issued under section 15 of the Extradition Act with respect to a person for an offence under Canadian law that is punishable under an Act of Parliament by a maximum term of imprisonment of 10 years or more, a hearing under subsection (1) or (2) shall not be commenced with respect to the person, or if commenced, shall be adjourned, until the final decision under that Act with respect to the discharge or surrender of the person has been made.

When person discharged under Extradition Act:

(13) If the person is finally discharged under the Extradition Act, the hearing may be commenced or continued, or the Refugee Division may proceed as though there had not been any proceedings under the Extradition Act.

When person ordered surrendered under Extradition Act:

(14) If the person is ordered surrendered by the Minister of Justice under the Extradition Act and the offence for which the person was committed by the judge under section 29 of that Act is punishable under an Act of Parliament by a maximum term of imprisonment of 10 years or more, the order of surrender is deemed to be a decision by the refugee because of paragraph (b) of Section F of its Article 1, except that no appeal or judicial review or the decision shall be permitted except to the extent that a judicial review of the order of surrender is provided for under the Extradition Act.

If no claim made before Extradition Act order

(15) For greater certainty, if the person has not made a claim under section 44 before the order of surrender referred to in subsection (14), the person may not do so before the surrender.

When refugee claim

(2) When the Minister orders the discharge of a person and the person has claimed Convention refugee status under section 44 of the Immigration Act, the Minister shall send copies of all relevant documents to the minister responsible for that Act.

Simply put, these amendments will prevent anyone claiming refugee status if a country has made a request for his/her extradition. In cases where the refugee claim has already commenced, the refugee claim will be stopped until the extradition hearing is completed. In the event that extradition is actually ordered then the order of surrender is deemed to be a decision by the Refugee Division that the person is not a Convention refugee.

According to this legal fiction the person who is ordered to be extradited even though there has never been a hearing and even though they have never been allowed to show they will be persecuted will be by this law deemed not to be a Convention refugee and will be considered to have had a hearing before the IRB.

The legal test for extradition is so low that inevitably there will be persons who are legitimately at risk returned. Bill C-40 should be changed to ensure that people are never removed from Canada if they are refugee claimants until they have had a fair hearing and their removal would not violate international human rights treaty obligations such as The Convention Against Torture.

This law sets a particularly bad precedent. If we can deem that hearings have taken place in extradition then it should not take too much imagination to extend it to other situations, for example people without documents, people who are late filing PIF's, etc.

It should be repugnant to most Canadians to allow a law which would deem that a hearing has been held into whether persecution will take place when in fact it never will be. The potential for abuse is very great.

Complaints about the amendments that affect refugee rights can be made to Pierre Gratton Minister's Office (613) 992-4621 or Kimberly Prost Department of Justice (613) 957-4758

Phil Rankin is an immigration and refugee lawyer practising in Vancouver.

THE REFUGEE

by John Folks

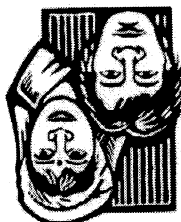
I did not come looking for pity.
I came to work in a God-blessed city.
I come with no long tale to tell
Other than that I have been through hell.
I come with no illusions grand
Of making grand castles of shifting sand.
But you put in my hand, no gun but a spade
So I start all over unafraid.
Your English language I will learn
And teach you some of mine in turn.
So that we inspire each other to protect
The Canadian Mosaic in mutual respect.
So please don't turn your back on me
Because my ways are strange to see.
Though I dress and talk quite differently,
I will never be your enemy.

You must not fail your humanity
And send me back to tragedy.
You must not say you have no room
And sweep me out with your legal broom.
You must not let me in to wait
Then turn me down and ruin my fate.
You must not let me fear and dread
That good and bad lie close in bed.

I am no alien, please remember that,
Who comes to take all that you have got.
I am no vandal or marauding band
Because I plead your helping hand.
Let your heart not be metallic hard.
Because I bring the world to your backyard.
I am your future, present, past.
I was the first who landed, won't be the last.
Yes I am your forefather, pioneer of old
Who brought fire to melt the wintry cold.
I am the copy of every immigrant
Who touched the soil to banish want.
I am citizen, immigrant, refugee.
When you check the mirror you will see me.

*John Folks is a teacher from Toronto who has many
refugees and immigrants among his students.*

You took me in because I fled
A place where freedom now lies dead.
I could not wed terror and might
Nor help dig deep the grave of right.
You took me in with child and spouse
Walking sad halls of a close-watched house.
I left a place I still hold dear
Where banished now are love and cheer.
Where the music that's now played is sad,
And they only dance who make all bad.
I fled policies and laws of tyranny,
Things you revile in accepting me.
And if I bring you naught but trust
Oh hold it dear, for back
there it's dust.
I still can hear the
children's cries
As bullets stopped their
parents' sighs.
I still can hear the guns'
loud crack
Silencing the innocent in the back.
Yes, it was all this evil that I did flee
Why now I am your refugee.



I am no coward who did run and hide
Abandoning all dignity and pride.
I fled to find another way
To bring hope to those who had to stay.
I fled because on Canadian soil
Hope and truth grow tall with a smile.
I fled because when I seize the Maple Leaf,
I will not be called a country's thief.
I fled because if I stay here close or far,
I will not be accused of plotting war.
I fled because when I walk by the SkyDome
I hear the cheers for me at home.
I fled because here I see men fall
And curse their lot and not see jail.
I fled because here I see men succeed
Without holding blind allegiance to a polluted creed.

1999 IMMIGRATION LEVELS

The Minister took us by surprise by making a very early announcement (usually it is near the end of October). The refugee figures did not get much attention in the media. For 1998, the government expects to be below the bottom range for privately sponsored and for refugees landed in Canada. They are lowering their targets for 1999 for refugees landed in Canada, but maintaining privately sponsored levels. Low in-Canada numbers reflect falling acceptance rates at the IRB and the continuing problem of "refugees in limbo", above all refugees whose ID doesn't satisfy immigration.

Government-assisted refugees will remain at 7,300. CIC expects to achieve the 7,300 level for 1998.

According to 1998 planned levels, refugee landings represent 12%-14% of total immigration. This goes down to 11%-13% in 1999 levels. If CIC is right in its projections for actual landings in 1998, refugee landings will represent 13% of total immigration.

The press release and annual plan are available on the CIC's website (<http://cicnet.ci.gc.ca>)

Janet Dench, CCR



IMMIGRATION PLAN 1999

Immigrant Category	Range
Skilled Workers	100,200-111,200
Business	17,700-19,700
Spouses, Fiancé(e)s and Children	38,000-41,000
Parents and Grandparents	15,500-17,300
Other -Live-in Caregiver Program -Special Categories -Provincial/Territorial -Nominees	6,500
Total Immigrant	177,900-195,700
Refugee Category	Range
Government Assisted	7,300
Privately Sponsored	2,800-4,000
Refugees Landed in Canada and Dependents Abroad	10,000-15,000 2,000-3,000
Total Refugee	22,100-29,300
Total Immigrant and Refugee	200,000-225,000

DUE PROCESS FOR REFUGEES UNDER ATTACK IN MONTREAL

BY: STEWART ISTVANFFY

A serious crisis of confidence has developed at the Montreal Immigration and Refugee Board (IRB) because of new practices in the hearing room that violate the right to a fair hearing of refugee claimants. Members of the bar who practice before the tribunal, as well as refugee support groups, are dismayed at the current attempt to destroy the right to a hearing of any meaning with measures that show a continual bias against the refugee claimants and a pre-disposition to think that everyone is a liar.

In the last two years, the Montreal Board has tried to

restrict the right to representation by counsel and the possibility of refugees to expose fully their cases with a number of measures that do not respect modern administrative law or the Canadian Charter of Rights and Freedoms. When complaints are made about the abuses engendered by this process, they are not treated seriously. Instead of looking at the systematic pattern of abuse that these procedures have encouraged, the administration treats every case as an isolated matter and refuses to intervene in favour of fundamental rights.

The immediate pretext for the development of some of

refugee claimant without paying attention to her presence. When one explains to lawyers in other fields of law what is going on, they can't believe that this could be happening in Canada.

There is currently an extreme fixation on the Personal Information Form and any departure from exactly what is said in this initial statement is sanctioned severely, often resulting in a negative determination of strong refugee claims. It seems that the Board members in Montreal have received some sort of a training course that suggests these procedures and puts great emphasis on the documents and minor contradictions rather than on extremely important issues, any incoherency being jumped on as a sign that the person is lying. This is particularly difficult for victims of torture or rape and generally those who suffer from post-traumatic stress disorder. They are the people most likely not to be able to perform in the current adversarial disposition of the Board.

It is very difficult for a lawyer or counsellor to be able to complete the principle examination of the refugee claimant without interruption. Someone has given the Board members the idea that they should direct the hearing rather than allow the lawyer to present the case effectively. The hearing no longer takes place in an atmosphere of serenity where the claimant and his/her counsel can expose fully the reasons why there is a well-founded fear of persecution. A constant effort is made to direct the examination onto secondary details or matters that could detract from the credibility of the claim. The emphasis is on finding reasons not to believe the person rather than on understanding her/his story.

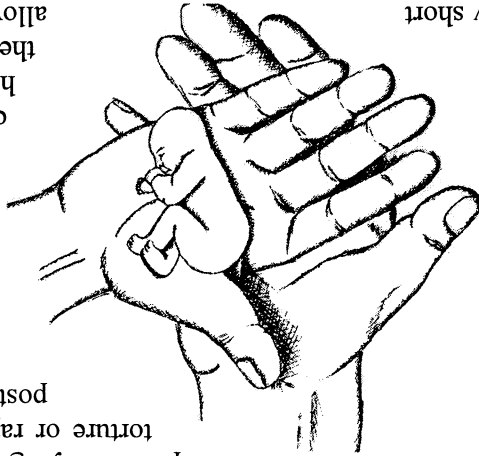
On questions of evidence, the tribunal frequently rejects psychological or medical reports without giving them their due weight. This is done in direct contradiction to the law which says that the tribunal should examine all evidence that is trustworthy in the circumstances. The tribunal is satisfied with saying that the Canadian health professional is only depending on what the person said so their analysis is not taken into account. Strong and convincing evidence from countries in the Third World coming from lawyers, political parties, and human rights organizations is rejected as "self-serving" because the refugee claimant solicited it. How can one prove your case without asking for confirmation from your country? Often expert witnesses' testimony is set aside when the tribunal has a pre-disposition to say no, such as in the case of Ghana where the Board wishes to pretend that there is now rule of law in spite of all the evidence to the contrary.

these procedures was the massive arrival of Chileans in Montreal during the years 1995 and 1996 after the lifting of the visa requirement in Chile. Almost 4000 people came into Montreal in a relatively short period, of whom it is safe to say that a majority (perhaps over 80%) did not have a solid basis for a refugee claim. This influx was responded to by the setting up of a system to say no quickly, with up to 3 or 4 cases a half day for the Chileans. At the same time, the rules on abandonment of claims were applied much more severely in order to close as many files as possible in a short time. Although some of the claimants were victims of serious torture or police abuses in Chile, an administrative decision to say no to everyone resulted in their refusal as refugees without a real chance for review.

This system of short hearings with no real chance being given to the person to tell her/his story was subsequently expanded and applied to countries such as Mexico which is in a severe human rights crisis. It is clear from the way the hearings are being run and the atmosphere in the hearing room that a political line is being applied in order to refuse as many claimants as possible in a very short time. Although many lawyers have protested against this system, great pressure is applied on the lawyers to accept to do up to five cases a day. This is impossible to do while respecting the lawyers's code of ethics.

In the hearing room, the Board members have made it a common practice to ask refugee hearing officers to start with their questions, unless the lawyer objects strongly to this. Proceeding in this way means that the refugee claimants are subjected to cross examination immediately without ever telling their stories, the victim of human rights abuses are never permitted to explain their points of view. Often the Board members say at the beginning, "it is not necessary to tell your story which is in your Personal Information Form, we take for granted that you would tell the same thing as is written." This is the only tribunal in Canada where such practices take place as a matter of course.

Requests for adjournments or postponements are currently being treated with great severity, again in violation of general administrative law principles. Recently I met a young articling student who was reduced to tears by the Board members when she went to ask for an adjournment from the I.R.B. for another lawyer in her office because they refused to listen to anything that she said. The Board insisted on proceeding and started to interrogate the



The most severe form of abuse that has come up in Montreal in only the last six to eight months is the decision that someone is not a refugee and there is no credible basis for the claim. These decisions are often being rendered on the Bench in front of the refugee claimant without any time being taken to examine the supporting documents. This practice is being encouraged by the administration in spite of the extremely traumatic effect that it has on victims of torture and human rights abuses.

The finding that there is no credible basis means that the people can be deported within seven days after the decision even if they have started a recourse at the Federal Court... It makes it extremely improbable that the Federal Court will say yes to them in their judicial review. They also lose the right to the Post-determination Review which is the only other administrative possibility open to them, even if it is a bit of a joke. The use of no credible basis findings in Montreal clearly violated the jurisprudence of the Federal Court on this point.

We have seen victims of severe torture from Honduras denied credible basis, organizers of Guatemalan peasants whose son was murdered last year and victims of the dirty war in Chiapas in Mexico. There is an almost complete break with the Canadian tradition of protecting refugees and a policy of implicit support for the new "death squad democracies" of Central and South America.

We have represented a victim of multiple rape from Congo-Zaire who was treated so badly in the hearing room that she broke down crying and was sobbing in the corridor for 45 minutes during the hearing. The social worker who accompanied her was sick all that weekend because of the terrible nature of the hearing. A strong psychiatric evaluation was received, medical reports were on record. The claimant was refused on the basis of a small lie about events that had taken place before the events that made her flee her country without any discussion of these events.

Lawyers and refugee groups in Montreal have been able

to document that some Commissioners have a refusal rate of close to 100%. These Board members go through a parody of a hearing where everything has already been decided before coming into the room. The refugee claimants have the impression that they are again in front of the martial law court or the interrogators in their torture session. This is not a normal legal process for a free and democratic country.

Though efforts have been made on the part of numerous lawyers and non-governmental organizations to get these complaints looked into, the current administration of the I.R.B. has so far turned a deaf ear to those appeals. The possibility of a fair and unbiased hearing of refugee claims is being sacrificed for reasons of political expediency and administrative efficiency.

We have been told by Board members that they are under instructions to motivate positive decisions for certain countries such as Pakistan or Congo-Zaire. This is an indirect pressure to raise the refusal rate for these countries. This is not justified, particularly in countries that are going through such a severe human rights crisis. One wonders what could motivate such a policy beyond the desire to bring down the rate of acceptance.

In general, these procedures violate article 7 and article 12 of the Canadian Charter of Rights and Freedoms. The situation in Montreal is allowing a systematic violation of article 3 of the Convention against Torture which prohibits sending someone back to where there is a substantial risk of torture. It is necessary to remind our government that Canadians are against torture and the dictatorships that encourage it. We need a return to the fundamental Canadian values of decency and respect for human life, as well as support for democracy and human rights in the world today.

Stewart Istvanffy is a well-known human rights lawyer specializing in refugee law with a diploma in international human rights law.

*Treatment received by refugees in a given country
is the manifestation of
the respect for human rights and civil freedom in that country.*

NO MORE DIRECT BACKS AT BORDER

BY: ROBERTA FARKAS-HUEZO

and refugee claimants feeling very uneasy about the border situation in the Buffalo/Niagara region. It now appears, however, that the direct-back problem may soon become a thing of the past. At a recent CIC-NGO meeting in Niagara Falls, border NGO's were informed of a new border procedure, slated for implementation in mid-to-late November. This procedure, which is apparently designed to harmonize the border processing of refugee claimants with the processing of claimants at Canada's airports, generally prohibits the direct-back of refugee claimants arriving at the border from the U.S. This "no direct-back policy" is to be implemented across the entire Canadian border. In the Niagara region, the details look like this:

1. Upon arrival at the border, a refugee claimant will be interviewed by an Immigration officer. The officer must fill out a four-page form before the claimant is allowed to leave the Immigration office. (This form asks for much of the same information as that sought in the eligibility application, but is separate from the eligibility application.) If an interpreter is required to communicate with the claimant, a telephone interpreting service will be utilized. The claimant will also be photographed and fingerprinted.

2. After the form is completed and the claimant has been photographed and fingerprinted, (s)he will be issued a kit including an eligibility application, an identity questionnaire for those who are undocumented, a "notice of seizure of documents" for those who do have I.D. documents (the documents will obviously be seized), a true copy of any seized documents, and a list of NGO's who may be able to assist the person in Canada.

3. Once the kit has been issued, the claimant will be permitted to enter Canada. (S)he will be instructed to complete the eligibility application and (if applicable) the identity questionnaire and mail these forms to CIC within



work with Vive, Inc., a refugee advocacy and social services center in Buffalo, NY. Vive works almost exclusively with "Canada-oriented" refugees (i.e., those entering Canada from the U.S. to make Canadian refugee claims and those returned from Canada to the U.S. after unsuccessful Canadian refugee claims). CIC in the Niagara region recently called a meeting with various refugee advocacy groups on both sides of our border, and I wanted to pass on the news regarding upcoming changes in the processing of refugee claimants at the Canadian-U.S. border. For once, the news is good! According to CIC-Niagara, the Minister has decided that she wants one, uniform procedure for the processing of refugee claimants arriving in Canada. Therefore, CIC at the border will no longer direct Canada-bound refugee claimants back to the U.S. to await a determination of the claimant's eligibility to pursue a refugee claim in Canada. As many of you know, the procedures for processing refugee claimants arriving at Canada's border currently vary from one port of entry to another. In the Buffalo/Niagara region, claimants arriving at the Canadian border are fingerprinted, photographed, given a six page eligibility application and told to return to the U.S., fill out the application, mail it to CIC and await notification of one's eligibility to enter Canada to pursue one's claim. If found eligible to pursue a claim, claimants are notified by mail or fax that they can return to the Canadian border, where they are issued a packet containing a PIF, medical forms, etc. They are then allowed into Canada to pursue their claim. If it is believed that a person is ineligible to pursue a claim, (s)he is called to a personal interview at the border. If it is determined at this interview that the person is indeed ineligible, (s)he is returned immediately to the U.S. This border procedure has proven problematic, as refugee claimants who are directed back to the U.S. to await eligibility determinations must pass through an INS (U.S. Immigration and Naturalization Service) inspection. Canada-bound claimants therefore become subject to INS processing, enforcement procedures, and possible U.S. detention. Historically, few Canada-bound claimants were detained by INS at the border, but since March of this year, various categories of Canada-bound claimants seem to have been targeted at different times for INS detention. At times, any undocumented claimant seemed vulnerable, while at other times, the main target seemed to be those with outstanding U.S. deportation orders. In any case, U.S. detention decisions were capricious enough that it was difficult to discern reliable patterns, leaving advocates

21 days of entering Canada. These instructions will also be provided to the claimant in written form, and (s)he will be given a pre-addressed envelope in which to mail the forms. (For those entering Canada in the Niagara region, the forms will be processed at the CIC office in Niagara Falls.) If the CIC office does not receive the forms within 21 days, they will attempt to contact the claimant by mail or by phone. If they are unsuccessful in reaching the claimant (or if the claimant does not comply), a warrant will be issued for the claimant's arrest.

4. The Niagara Falls CIC office is committed to processing a properly completed eligibility application within ten business days of receipt. (This ten day period is the current processing goal for eligibility applications mailed from the U.S., and the Niagara Falls office has been quite efficient in meeting this goal.) If a person is found, through this paper screening, to be eligible to pursue a Canadian refugee claim, (s)he will be mailed a packet containing a Determination of Eligibility notice, a PIF, medical forms, etc. (S)he will then have 28 days in which to submit the PIF to the IRB.

5. If it is thought that the person may be ineligible to pursue a Canadian refugee claim, the person will be called to a personal interview at the Niagara Falls CIC office. If, after this interview, the person is found to be eligible, the above-mentioned packet will be issued. If, however, the person is found to be ineligible, CIC will return the person to the U.S. (This will not happen immediately, as CIC will have to seek a letter of permission from the U.S. Embassy, as is currently the case for failed refugee claimants returned to the U.S.).

It should be noted that, in certain specific instances, CIC may find a person to be ineligible to pursue a claim when the person first presents him/herself at the border. (Perhaps a second-time claimant has attempted to reapply without waiting the requisite 90 days outside the country, or perhaps a serious criminal record has appeared in the computer.) In such cases, the person will be found ineligible and immediately returned to the U.S., without being issued an eligibility application and without being permitted to enter Canada. As I have already mentioned, the above description lays out the new system as it will be implemented in the Niagara region. While the details of implementation may vary somewhat at other ports of entry, it was made clear to us that two procedures will be uniformly applied across the border:

1. No direct-backs of refugee claimants to the U.S. (unless they have been found ineligible to pursue a

Canadian refugee claim), and

2. The four page "port of entry form" must be completed before a claimant is permitted to enter Canada. Incidentally (or perhaps not so incidentally!), CIC in the Niagara region is a bit nervous about what will happen at their border crossings when they are no longer allowed to return refugee claimants to the U.S. and when they are required to fill out a four page form before they can allow claimants to leave their office. They (and we border advocates) have visions of refugee claimants bottled up for hours and hours in cramped Canadian Immigration offices at the bridges, waiting to be processed for entry into Canada. To avoid this prospect, CIC in the Niagara region has asked for NGO assistance in advancing the following "plan": Ideally, a Canada-bound refugee claimant passing through Buffalo would not come directly to the border. Rather, (s)he would stop first at Vive (in Buffalo) or at Community Missions (in Niagara Falls, NY). These U.S. NGOs would then help the person fill out as much of the four page "port of entry form" as possible. (Some of the questions relate to searches and seizures and would obviously need to be completed by an Immigration officer.) The U.S. NGOs could also help the person fill out an eligibility application, since so much of the information sought on that application would have already been elicited for the "port of entry form". CIC would make sure that Vive and Community Missions were well-stocked with both forms. Although CIC could in no way force a claimant to seek NGO assistance before coming to the border, this approach would be highly beneficial to Canada-bound refugee claimants for the following reasons:

1. If claimants come to the border with the majority of their "port of entry form" properly completed, their processing time at the border will be drastically reduced. It will hopefully be possible to avoid long lines of refugee claimants at the border, waiting for hours on end to be processed into Canada.

2. If claimants come to the border with completed eligibility applications, they can submit them to CIC immediately upon entry, thereby receiving an eligibility determination within ten days of entering Canada. If they do not receive the eligibility application until they enter Canada, they may have to wait up to a month or more before receiving an eligibility determination (21 days to submit the form, plus 10 days to process the application, plus any mailing delays). This is important since, as the system now stands, claimants are unable to receive social welfare benefits until they have been determined to be eligible to pursue a refugee claim.

3. The odds of an eligibility application being returned to a claimant (due to missing or erroneous information) are drastically reduced if the claimant receives knowledgeable



assistance in completing the form. CIC told us that 1% of eligibility applications filed through U.S. NGOs are returned for incompleteness or errors, while 40% of eligibility applications filed by Pearson Airport arrivals (who presumably do not have the same access to assistance) are returned. CIC in the Niagara region is concerned that their response time will be significantly lengthened if they must routinely return poorly prepared applications.

4. If a claimant does not have reception in Canada, U.S. NGOs can network with our Canadian NGO partners to arrange a placement for the person before(s)he enters the country, as we do now.

5. Very importantly, if a claimant is in U.S. immigration proceedings (as many are), U.S. NGOs can advise him/her what to do in order to properly conclude such proceedings. Vive currently appears at numerous U.S. Immigration Court hearings to close the deportation proceedings against refugee claimants who have entered Canada. This advice and assistance can be crucial in avoiding "in absentia" U.S. deportation orders and possible bars to future immigration relief in the U.S. While the above reasoning may make perfect sense to CIC and to refugee advocates, NGOs on both sides of the border believe that it will be very difficult to convince claimants to stop and seek assistance on the U.S. side once they realize that they can go directly into Canada. For this reason, Canadian advocates in the Niagara region (especially in Fort Erie) are planning for an expected influx of refugee claimants

seeking assistance upon entry. Fort Erie NGOs have already begun considering ways of expanding their network of emergency housing and of providing possible form-filling assistance at the Immigration office at the Peace Bridge. In addition, the year-old Coalition of Refugee Claimant Service Providers is exploring ways of responding to the upcoming changes. In the meantime, as the new border procedures come into play, Vive would encourage all advocates to help spread the word about the U.S. NGO services available to Canada-bound refugee claimants. Presently, most claimants, at least in the Buffalo area, go directly to the border and are not aware of Vive's presence until directed back to the U.S. by CIC. Please help us spread the word regarding the advantages of seeking NGO assistance BEFORE going to the border. Finally, kudos to all advocates who have been urging CIC for years to stop directing refugee claimants back to the U.S.!! This change comes at a particularly important time, given the current wave of detention mania in the U.S. Although this new policy will not help failed Canadian refugee claimants returned to the U.S. (who continue to be a focus for INS detention), at least there is now one less opportunity for northbound claimants to fall into the hands of INS.

Roberta (Robbie) Farkas-Huezo is the legal coordinator of Vive, Inc., located at 50 Wyoming Ave. Buffalo, NY 14215

REFUGEE UPDATE

FOUNDED BY JESUIT REFUGEE SERVICE - CANADA
CURRENTLY PUBLISHED QUARTERLY BY FCJ HAMILTON HOUSE REFUGEE PROJECT AND THE CANADIAN COUNCIL FOR REFUGEES

EDITORIAL BOARD: Sharry Aiken, Tom Clark, Lois Anne Bordowitz FCJ, Elsa Musa, Francisco Rico

EDITOR: Ezat Mossallanejad

CONTRIBUTING EDITORS: Marty Dolin, Bill Frelick, Marie Lacroix, Bruce MacLeod, Betty Miller, Adeena Niazi, Rabbi Gunther Plant, Mark Raper SJ, Cecile Rousseau, Jerry Vink, Annie P. Wilson, Hassan Yusuf

PRODUCTION: Lois Anne Bordowitz FCJ

GRAPHICS: Juana Maria Diaz Cazares

SUBSCRIPTIONS: 1 year/4 issues: Individuals \$20, Institutions \$35; Bulk (20 or more) \$3.50 per copy

ADDRESS: P.O. Box 1121, 31 Adelaide St. E., Toronto ON M5C 2K5 Canada
Tel: (416) 368-6959;
Fax: (416) 368-8797;
e-mail: ezat@idirect.com

REFUGEE UPDATE gratefully acknowledges the generous financial support of the Canadian Auto Workers (CAW) Social Justice Fund (SJF) and the Primate's World Relief and Development Fund, Anglican Church of Canada for the production of this issue.